

May 18, 2012

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
May 18, 2012

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:00 P.M. AT 400 WEST MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 20, 2012

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD APRIL 20, 2012?

- IV. MOTION TO AMEND THE PREVIOUSLY ADOPTED MINUTES OF AUGUST 20, 2010

WILL THE COMMISSION APPROVE THE AMENDMENT OF THE MINUTES OF AUGUST 20, 2010 TO REFLECT THAT THE PROPOSED RESCISSIONS OF 4D(3) EXEMPTION FROM JURISDICTION B FOR ITEMS F1 AND F2 WERE GRANTED?

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	145.....	11
Agriculture.....	356.....	16
Arts Council.....	19.....	2
Capitol Development Board.....	42.....	0
Central Management Services.....	1,599.....	113
Children and Family Services.....	2,889.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	400.....	67
Commerce Commission.....	76.....	0
Corrections.....	11,337.....	105
Criminal Justice Authority.....	62.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	91.....	6
Employment Security.....	1,791.....	25
Environmental Protection Agency.....	852.....	16
Financial & Professional Regulation.....	470.....	42
Gaming Board.....	131.....	5
Guardianship and Advocacy.....	102.....	7
Healthcare and Family Services.....	2,130.....	25
Historic Preservation Agency.....	174.....	11
Human Rights Commission.....	14.....	2
Human Rights Department.....	141.....	8
Human Services.....	12,780.....	76
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission.....	2.....	1
Insurance.....	256.....	13
Investment Board.....	2.....	1
Juvenile Justice.....	1,229.....	20
Labor.....	89.....	9
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Lottery.....	153.....	6
Medical District Commission.....	2.....	0
Military Affairs.....	122.....	3
Natural Resources.....	1,170.....	28
Pollution Control Board.....	22.....	1
Prisoner Review Board.....	18.....	0
Property Tax Appeal Board.....	25.....	1
Public Health.....	1,085.....	41
Racing Board.....	2.....	1
Revenue.....	1,712.....	52
State Fire Marshal.....	141.....	12
State Police.....	1,204.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems.....	96.....	2
Transportation.....	2,247.....	0
Veterans' Affairs.....	1,284.....	9
Workers' Compensation Commission.....	134.....	8
TOTALS.....	46,668.....	816

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Employment Security – Proposed Exemption (continued from April 20, 2012)

Position Number	40070-44-40-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Programs
Functional Title	Assistant Deputy Director of Programs
Incumbent	Vacant
Supervisor	Executive Deputy Director of Programs who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Capital Development Board – Proposed Exemption

Position Number	40070-50-44-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Operations
Functional Title	Procurement Program Manager
Incumbent	Vacant
Supervisor	Deputy Director of Operations who reports to the Office of Executive Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	40070-16-65-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Policy and Advocacy
Functional Title	Deputy Director of the Division of Policy and Advocacy
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Dept. of Commerce & Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-015-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office / Local Government Initiatives
Functional Title	Manager of Local Government Initiatives
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Juvenile Justice – Proposed Exemption

Position Number	40070-27-00-210-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Programs
Functional Title	Chief of Mental Health Services
Incumbent	Vacant
Supervisor	Deputy Director of Program Services who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H. Illinois Department of Lottery – Proposed Exemption

Position Number	40070-45-02-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal
Functional Title	Deputy General Counsel
Incumbent	Vacant
Supervisor	General Counsel who reports to the Superintendent
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Employment Security-Assistant Deputy Director of Programs**
- D: Capital Development Board-Procurement Program Manager**
- E: Children & Family Services-Deputy Director of the Division of Policy and Advocacy**
- F: Commerce and Economic Opportunity-Manager of Local Government Initiatives**
- G: Juvenile Justice-Chief of Mental Health Services**
- H: Lottery-Deputy General Counsel**

I. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On April 17, 2012 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 35 current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but have been vacant for an extended period of time or the positions had duplication of duties with other exempt positions. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Agency	Position Number	Functional Title
I1	CMS	40070-37-32-000-00-01	Manager, Risk Management
I2	CEO	37015-42-00-000-01-01	Legislative Liaison-International Trade Office
I3	CEO	40070-42-00-220-00-01	Manager, Grant Unit
I4	CEO	40070-42-10-300-00-01	Regional Manager (East Central)
I5	DOC	40070-29-86-200-00-01	Assistant Warden Programs-Vienna
I6	DOC	40070-29-98-300-00-01	Assistant Warden Operations-Hill
I7	DOC	40070-29-99-200-00-01	Assistant Warden Programs-Western IL
I8	DHS	40070-10-10-000-00-01	Director, Business Services
I9	DHS	40070-10-11-200-00-01	Chief, Recruitment & Selection

Item	Agency	Position Number	Functional Title
I10	DHS	40070-10-85-000-00-21	Regional Executive Director-Tinley Park
I11	DJJ	40070-27-17-200-00-01	Asst. Warden Programs-IYC Chicago
I12	DJJ	40070-27-17-300-00-01	Asst. Warden Operations-IYC Chicago
I13	DJJ	40070-27-20-200-00-01	Assistant Warden Programs-Harrisburg
I14	ISP	40070-21-12-000-00-01	Chief Financial Officer

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- I1: Manager, Risk Management (CMS)**
- I2: Legislative Liaison-International Trade Office (CEO)**
- I3: Manager, Grant Unit (CEO)**
- I4: Regional Manager (East Central) (CEO)**
- I5: Assistant Warden Programs-Vienna (DOC)**
- I6: Assistant Warden Operations-Hill (DOC)**
- I7: Assistant Warden Programs-Western Illinois (DOC)**
- I8: Director, Business Services (DHS)**
- I9: Chief, Recruitment & Selection (DHS)**
- I10: Regional Executive Director-Tinley Park (DHS)**
- I11: Assistant Warden Programs-IYC Chicago (DJJ)**
- I12: Assistant Warden Operations-IYC Chicago (DJJ)**
- I13: Assistant Warden Programs-Harrisburg (DJJ)**
- I14: Chief Financial Officer (ISP)**

VI. CLASS SPECIFICATIONS

- None submitted.**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

May 18, 2012

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), 2(c)(5), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, THE LEASE OF REAL PROPERTY, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	3/31/12	4/30/12	4/30/11
Aging	1	1	0
Arts Council	0	1	0
Central Management Services	0	0	1
Children and Family Services	2	3	2
Corrections	1	1	0
Employment Security	1	0	5
Healthcare and Family Services	3	3	3
Historic Preservation Agency	1	0	1
Human Rights	0	1	0
Human Services	1	4	1
Natural Resources	8	1	9
Property Tax Appeal Board	0	0	3
State Fire Marshal	1	0	0
Transportation	10	0	1
Totals	29	15	26

X. INTERLOCUTORY APPEALS

RV-33-12

Employee	John S. Knight	Appeal Date	12/06/11
Agency	Human Services	Decision Date	04/19/12
Type	Rule Violation	ALJ	Andrew Barris
Allegation(s)	Violation of Sections 302.150(j) and 310.470 of the Personnel Rules	Proposal for Decision	Dismissed subject to approval of Commission; no jurisdiction (untimely filing).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-40-12

Employee	Eric R. Nuttall	Appeal Date	01/26/12
Agency	Corrections	Decision Date	05/04/12
Type	Discharge	ALJ	Andrew Barris
ALJ	Andrew Barris	Proposal for Decision	Grant Motion to Dismiss subject to approval of Commission; no jurisdiction (untimely filing)

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-11-12

Employee	Trisha Bavender	Appeal Date	08/23/11
Agency	Revenue	Decision Date	05/04/12
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-52-11¹

Employee	Lori Churchill	Appeal Date	05/19/11
Agency	Central Management Services	Decision Date	04/20/12
Type	Rule Violation	ALJ	Andrew Barris
Allegation(s)	Violation of Section 301.170 of the Personnel Rules, Sections 310.20, 310.80, 310.90 and 310.100 of the Pay Plan	Proposal for Decision	No violation.

RV-54-11

Employee	Laurie Kohnen	Appeal Date	06/17/11
Agency	Central Management Services	Decision Date	04/20/12
Type	Rule Violation	ALJ	Andrew Barris
Allegation(s)	Violation of Section 301.170 of the Personnel Rules, Sections 310.20, 310.80, 310.90 and 310.100 of the Pay Plan	Proposal for Decision	No violation.

¹ RV-52-11, RV-54-11, and RV-8-12 were consolidated on December 1, 2011.

RV-8-12

Employee	Kathryn Rehwaldt	Appeal Date	08/10/11
Agency	Central Management Services	Decision Date	04/20/12
Type	Rule Violation	ALJ	Andrew Barris
Allegation(s)	Violation of Section 301.170 of the Personnel Rules, Sections 310.20, 310.80, 310.90 and 310.100 of the Pay Plan	Proposal for Decision	No violation.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE CONSOLIDATED MATTER?

XII. STAFF REPORT

XIII. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE SHORT-TERM LEASE AND RELATED DOCUMENTS FOR SPRINGFIELD OFFICE SPACE

WILL THE COMMISSIONERS AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE SHORT-TERM LEASE AND RELATED DOCUMENTS FOR THE SPRINGFIELD OFFICE SPACE ON THE COMMISSION'S BEHALF?

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, June 15, 2012 at 11:00 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN